

REMARKS

Reconsideration of all grounds of rejection, and allowance of all the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-19, as shown above, are pending herein. Claims 1, 7 and 15 have been amended to further clarify the present invention.

Claim 3 stands rejected under 35 U.S.C. §112 as being indefinite. In response, claim 3 has been amended to recite “is”, instead of “may be” to which the Office Action has objected to.

Claim 19 stands rejected under 35 U.S.C. §112 as failing to comply with the written description requirement. More specifically, the Office Action indicates that it contains subject matter which was not described in the specification. Applicant respectfully submit that support is found at least on page 3, lines 11-13 and page 5, lines 18-21. The specification clearly state that “the system also includes a user interface capable of receiving an authorization from the user to purchase the desired item or service, and that “ the present invention is applicable in this type of transaction by allowing merchants to process the transaction in an offline manner, i.e., not in real time.”

Accordingly, Applicant respectfully request to withdraw the above rejections.

Claims 1, 4, 6-7, 9-11, 13-15 and 17 stand rejected under 35 U.S.C. §102 (e) over European Application EP 1 143 679 to Maes (hereinafter “Maes”). Applicants respectfully traverse this ground of rejection.

Amended claim 1 now recites, “searching one or more databases for the desired item or service in an offline process. “ The support can be found at least at page 8, line 23 through page 9, line 5, wherein the consumer does not have to wait in check out lines since the invention provides feature of searching for the best deal for the consumer without forcing the consumer to do any time-consuming product research. For example, a consumer, while watching TV and sees a commercial for a desirable product, can create a voice data packet via a phone, web-enabled TV or other handy voice communication device and place an offline purchase order for that item (page 9, line 8-11).

Applicants respectfully submit that Maes fails to disclose or suggest that the searching is performed offline, as is recited by instant claim 1. Independent claims 7 and 15 have been amended to recite similar feature. Therefore, none of base claims 1, 7 and 15 are anticipated by Maes.

Reconsideration and withdrawal of this ground of rejection are respectfully requested.

Claims 2-3, 5, 8, 12, 16 and 18 stand rejected under 35 U.S.C. §103(a) over the combination of Maes and Katz (U.S. 6,055,513, hereafter “Katz’513”). Applicants respectfully traverse this ground of rejection.

Applicants respectfully submit that the combination of Maes and Katz'513 fails to disclose or suggest all the elements of Applicant's now amended base claims, let alone render the rejected claims obvious over the combination of said references.

The combination of Maes and Katz, for example, is completely silent with regard to searching database for the desired item or service in an offline process. Accordingly, Applicants respectfully submit that none of the instant claims would have been obvious to a person of ordinary skill in the art over the combination of Maes and Katz'513.

Reconsideration and withdrawal of this ground of rejection are respectfully requested.

In summary, Applicants respectfully submit that all grounds of rejection cited in the Office Action have been overcome, and all of the pending claims are in condition for allowance.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below. If there are any fees due and owing, please charge Applicants' Deposit Account on file.

Respectfully submitted,

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Date: February 25, 2005


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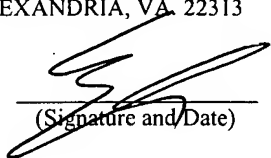
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